

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

**LEGISLATIVE BILL 114**

Introduced by Louden, 49.

Read first time January 09, 2009

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Nebraska Rules of the Road; to amend  
2 section 60-601, Revised Statutes Cumulative Supplement,  
3 2008; to provide for operation of minitrucks on certain  
4 highways as prescribed; to provide penalties; to  
5 harmonize provisions; and to repeal the original section.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 60-601, Revised Statutes Cumulative  
2 Supplement, 2008, is amended to read:

3           60-601 Sections 60-601 to 60-6,377 and sections 2 to 9 of  
4 this act shall be known and may be cited as the Nebraska Rules of  
5 the Road.

6           Sec. 2. For purposes of sections 2 to 8 of this  
7 act, minitruck means a foreign-manufactured import vehicle or  
8 domestic-manufactured vehicle which (1) is powered by an internal  
9 combustion engine with a piston or rotor displacement of one  
10 thousand cubic centimeters or less, (2) is sixty-seven inches  
11 or less in width, (3) has a dry weight of three thousand four  
12 hundred pounds or less, (4) travels on four or more tires, (5)  
13 has a top speed of approximately fifty-five miles per hour,  
14 (6) is equipped with a bed or compartment for hauling, (7)  
15 has an enclosed passenger cab, (8) is equipped with headlights,  
16 taillights, turnsignals, windshield wipers, rearview mirror, and an  
17 occupant protection system, and (9) has a four-speed or five-speed  
18 transmission.

19           Sec. 3. A minitruck shall not be subject to the Motor  
20 Vehicle Certificate of Title Act or be required to be registered  
21 under the Motor Vehicle Registration Act.

22           Sec. 4. (1) A minitruck shall not be operated on any  
23 controlled-access highway with more than two marked traffic lanes,  
24 and the crossing of any controlled-access highway with more than  
25 two marked traffic lanes shall not be permitted. Subsections (2),

1 (3), and (5) through (8) of this section authorize and apply  
2 to operation of a minitruck only on a highway other than a  
3 controlled-access highway with more than two marked traffic lanes.

4 (2) A minitruck may be operated in accordance with the  
5 operating requirements of subsection (3) of this section:

6 (a) Outside the corporate limits of a city, village, or  
7 unincorporated village if incidental to the minitruck's use for  
8 agricultural purposes;

9 (b) Within the corporate limits of a city or village  
10 if authorized by the city or village by ordinance adopted in  
11 accordance with this section; or

12 (c) Within an unincorporated village if authorized by the  
13 county board of the county in which the unincorporated village is  
14 located by resolution in accordance with this section.

15 (3) A minitruck may be operated as authorized in  
16 subsection (2) of this section when such operation occurs only  
17 between the hours of sunrise and sunset. Any person operating  
18 a minitruck as authorized in subsection (2) of this section  
19 shall have a valid Class O operator's license or a farm permit  
20 as provided in section 60-4,126, shall have liability insurance  
21 coverage for the minitruck while operating the minitruck on a  
22 highway, and shall not operate the minitruck at a speed in excess  
23 of thirty miles per hour. The person operating the minitruck shall  
24 provide proof of such insurance coverage to any peace officer  
25 requesting such proof within five days of such a request. When

1 operating a minitruck as authorized in subsection (2) of this  
2 section, the headlights and taillights of the minitruck shall be  
3 on.

4 (4) A minitruck may be operated without complying with  
5 subsection (3) of this section on highways in parades which have  
6 been authorized by the State of Nebraska or any department, board,  
7 commission, or political subdivision of the state.

8 (5) Subject to subsection (1) of this section, the  
9 crossing of a highway shall be permitted by a minitruck without  
10 complying with subsection (3) of this section only if:

11 (a) The crossing is made at an angle of approximately  
12 ninety degrees to the direction of the highway and at a place where  
13 no obstruction prevents a quick and safe crossing;

14 (b) The minitruck is brought to a complete stop before  
15 crossing the shoulder or roadway of the highway;

16 (c) The operator yields the right-of-way to all oncoming  
17 traffic that constitutes an immediate potential hazard;

18 (d) In crossing a divided highway, the crossing is made  
19 only at an intersection of such highway with another highway; and

20 (e) Both the headlights and taillights of the minitruck  
21 are on when the crossing is made.

22 (6) A city or village may adopt an ordinance authorizing  
23 the operation of minitrucks within the corporate limits of the city  
24 or village if the operation is in accordance with subsection (3) of  
25 this section. The city or village may place other restrictions on

1 the operation of minitrucks within its corporate limits.

2 (7) A county board may adopt a resolution authorizing the  
3 operation of minitrucks within any unincorporated village within  
4 the county if the operation is in accordance with subsection (3)  
5 of this section. The county may place other restrictions on the  
6 operation of minitrucks within the unincorporated village.

7 Sec. 5. Every minitruck shall display lighted headlights  
8 and taillights during the period of time from sunset to sunrise and  
9 at any time when visibility is reduced due to insufficient light or  
10 unfavorable atmospheric conditions.

11 Sec. 6. No person shall:

12 (1) Equip the exhaust system of a minitruck with a  
13 cutout, bypass, or similar device;

14 (2) Operate a minitruck with an exhaust system so  
15 modified; or

16 (3) Operate a minitruck with the spark arrester removed  
17 or modified except for use in closed-course competition events.

18 Sec. 7. Minitrucks participating in competitive events  
19 may be exempted from sections 5 and 6 of this act at the discretion  
20 of the Director of Motor Vehicles.

21 Sec. 8. If an accident results in the death of any person  
22 or in the injury of any person which requires the treatment of the  
23 person by a physician, the operator of each minitruck involved in  
24 the accident shall give notice of the accident in the same manner  
25 as provided in section 60-699.

1           Sec. 9. (1) Any person who violates sections 3 to 8 of  
2 this act shall be guilty of a Class III misdemeanor, except that if  
3 such person is convicted of a second or subsequent offense within  
4 any period of one year, he or she shall be guilty of a Class II  
5 misdemeanor.

6           (2) Any violation of such sections which is also a  
7 violation under any other provision of Chapter 60 may be punished  
8 under the penalty provisions applicable to the other violation.

9           Sec. 10. Original section 60-601, Revised Statutes  
10 Cumulative Supplement, 2008, is repealed.